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FEB 21 2006

**JANAH & ASSOCIATES, PC
650 Delancey Street, Suite 106
San Francisco, California 94107 U.S.A.**

VIA FACSIMILE

ATTENTION: Examiner Webman
FIRM/CO. NAME: U.S. Patent and Trademark Office
FAX NO: 571-273-8300
ART/UNIT NO: 1616
FROM: Ashok K. Janah
DATE: February 21, 2006
APPLICATION NO: 10/616,448
OUR REFERENCE NO: NK.103.11.US

TOTAL NUMBER OF PAGES 6 (INCLUDING COVER PAGE)

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL Ashok

BUSINESS PHONE: (415) 538-1555 FACSIMILE NO.: (415) 538-8380

MESSAGE:

Examiner Webman,

Attached please find a response to the outstanding office action dated December 21st, 2005.

Kind regards,

Ashok Janah

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weers et al. Application No: 10/816,448 Confirmation No: 1036 Filed: February 5, 2004 Title: Phospholipid Based Powders for Inhalation	Group No: 1816 Examiner: WEBMAN, Edward J. Attorney Docket No: NK.103.11 Tuesday, February 21, 2006 San Francisco, CA 94107	RECEIVED CENTRAL FAX CENTER FEB 21 2006
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Commissioner for Patents VIA FACSIMILE: (571) 273-8300	Extension of Time <input type="checkbox"/> Applicant petitions for an extension of time under 37 C.F.R. 1.136																
Papers Enclosed <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Declaration <input type="checkbox"/> Drawings <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Citations <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Postcard for Return	Extension (Months)	Extension Fee <table border="1"> <tr> <th></th> <th>Large Entity</th> <th>Small Entity</th> </tr> <tr> <td><input type="checkbox"/> One Month</td> <td>\$120.00</td> <td>\$60.00</td> </tr> <tr> <td><input type="checkbox"/> Two Months</td> <td>\$450.00</td> <td>\$225.00</td> </tr> <tr> <td><input type="checkbox"/> Three Months</td> <td>\$1,020.00</td> <td>\$510.00</td> </tr> <tr> <td colspan="3">Total \$ 0.00</td> </tr> </table>		Large Entity	Small Entity	<input type="checkbox"/> One Month	\$120.00	\$60.00	<input type="checkbox"/> Two Months	\$450.00	\$225.00	<input type="checkbox"/> Three Months	\$1,020.00	\$510.00	Total \$ 0.00		
		Large Entity	Small Entity														
	<input type="checkbox"/> One Month	\$120.00	\$60.00														
	<input type="checkbox"/> Two Months	\$450.00	\$225.00														
	<input type="checkbox"/> Three Months	\$1,020.00	\$510.00														
Total \$ 0.00																	
<input type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.																	

Fees for Extra Claims						
	Claims remaining after amendment	Highest number previously paid for	Number Extra	Rate		Additional Fee
				Large Entity	Small Entity	
Total Claims	9	20	0	\$50.00	\$25.00	\$0.00
Independent Claims	1	3	0	\$200.00	\$100.00	\$0.00
Multiple Dependent Claims			0	\$360.00	\$180.00	\$0.00
Supplemental Information Disclosure Statement						
Total						\$0.00

Fee Payment Extension Fees \$0.00 Fees for Extra Claims \$0.00 Total \$0.00		Fee Deficiency <input checked="" type="checkbox"/> If any additional extension and/or fee is required, please charge Deposit Account No. <u>10-0258</u> . and/or <input type="checkbox"/> If any additional fee for claims is required, please charge Deposit Account No. <u>10-0258</u> .
<input type="checkbox"/> Attached is check no. _____ in the sum of \$0.00. <input type="checkbox"/> Please charge Deposit Account No. <u>10-0258</u> in the sum of \$0.00.		Please direct telephone calls to: Ashok K. Janah at (415) 538-1555 Please continue to send correspondence to: Applied Materials, Inc. Patent Department, M/S 2061 P.O. Box 450A Santa Clara, CA 95052
CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a): I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date shown below. By: <u>Ashok Janah</u> Date: <u>2/21/2006</u>		Respectfully Submitted, By: <u>Ashok K. Janah</u> Date: <u>2/21/2006</u> Registration No. <u>27,487</u>

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In re Application of: Weers et al.	Group Art Unit: 1616
Application No: 10/616,448	Examiner: Webman, Edward J.
Confirmation No: 1036	Attorney Docket No: 0103.11
Filed: July 8 th , 2003	
Title: Phospholipid Based Powders for Inhalation	February 21, 2006 San Francisco, California

AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA FACSIMILE
(571) 273-8300

Examiner Webman:

This communication is in response to the Office Action mailed on December 21, 2006, and is being filed within two months thereof.

Certificate of Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date shown below.

By: 

Ashok Janah

Date: February 21, 2006